

EV 351 932 772 US: Express Mail Number

November 12, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

16834 U.S. PTO
10/712560
111203

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

**Sean Adams,
Audrey Goddard,
Austin Gurney,
Timothy A. Stewart,
Elizabeth Tomlinson, and
Xing Xian Yu**

Title: **FIBROBLAST GROWTH FACTOR-19 (FGF-19) NUCLEIC ACIDS AND POLYPEPTIDES
AND METHODS OF USE FOR THE TREATMENT OF OBESITY AND RELATED
DISORDERS**

1. Type of Application

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a continuation application claiming priority to U.S. application Serial Number 09/924,647, filed August 7, 2001, which is a continuation-in-part of U.S. application Serial Number 09/767,609, filed January 22, 2001, now abandoned, which is a continuation-in-part of U.S. application Serial Number 09/522,342, filed March 9, 2000, which is a continuation-in-part of U.S. application Serial Number 09/284,663, filed April 15, 1999, now abandoned, which is a continuation of U.S. application Serial Number 09/158,342, filed September 21, 1998, now abandoned, and to International Application Numbers PCT/US/98/25190, filed November 25, 1998, PCT/US99/20594, filed September 8, 1999, now abandoned, PCT/US99/21090, filed September 15, 1999, now abandoned, PCT/US99/30999, filed December 20, 1999, now abandoned, and PCT/US00/04414, filed February 22, 2000, now abandoned, which applications priority is claimed under 35 USC § 120, and to provisional application Serial Number 60/066,840, filed November 25, 1997, now abandoned, to which application priority is claimed under 35 USC § 119, the entire disclosures of which are hereby incorporated by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)**
(Non-provisional)

92 pages of specification
9 pages of claims
1 page(s) of abstract
20 sheet(s) of drawings
☐ formal ☒ informal

3. **Declaration or Oath**

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
___ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
x A copy of the executed declaration/oath filed in the prior application is enclosed
(37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
___ A signed statement is attached deleting inventor(s) named in the prior
application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. **Assignment**

(for new and CIP applications)
___ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with
attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)
x The prior application is assigned of record to Genentech, Inc.

5. **Amendments (for continuation and divisional applications)**

___ Cancel in this application original claims __ of the prior application before calculating the filing
fee. (At least one original independent claim must be retained for filing purposes.)

___ A preliminary amendment is enclosed. (Claims added by this amendment have been
properly numbered consecutively beginning with the number next following the highest
numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	95	- 20 =	75	X \$18.00	\$1,350.00
Independent Claims	29	- 3 =	26	X \$86.00	\$2,236.00
Multiple dependent claim(s), if any				+ \$290.00	\$0.00
Filing Fee Calculation					\$4,356.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$4,356.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

9. Additional Papers Enclosed

- ☒ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☐ Other:

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- ☒ A petition, fee and/or response has been filed to extend the term in the pending prior application until November 14, 2003
- ☒ A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:

X Address all future communications to:

Attn: Atulya R. Agarwal, Ph.D.
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

Date: November 12, 2003

By: 

Atulya R. Agarwal, Ph.D.
Reg. No. 40,887
Telephone No. (650) 225-4463

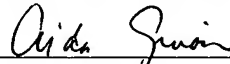
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Facsimile No.: (650) 952-9881

CUSTOMER NO: 09157



Patent Docket P1219P3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Sean Adams et al. Serial No.: 09/924,647 Filed: August 7, 2001 For: FIBROBLAST GROWTH FACTOR-19 (FGF-19) NUCLEIC ACIDS AND POLYPEPTIDES AND METHODS OF USE FOR THE TREATMENT OF OBESITY AND RELATED DISORDERS	Group Art Unit: 1647 Examiner: NOT KNOWN Confirmation No: 7392 CUSTOMER NO: 09157 <div style="text-align: center;"><small>CERTIFICATE OF MAILING</small> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 12, 2003  Aida Gulam</div>
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PETITION AND FEE FOR THREE MONTH EXTENSION OF TIME
(37 CFR 1.136(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated May 14, 2003 for three (3) months from August 14, 2003 to November 14, 2003. The extended time for response does not exceed the statutory period.

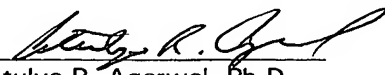
Please charge Deposit Account No. 07-0630 in the amount of \$950.00 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to this deposit account.

A duplicate of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: November 12, 2003

By: 
Atulya R. Agarwal, Ph.D.
Reg. No. 40,887
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